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UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation on September 7, 2001

NOTICE OF ACTION TAKEN -- DOCKET OST-98-3419 - 253

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Application of American Airlines, Inc. filed 8/23/2001 for:

XX Waiver from dormancy condition:

By Order 98-5-17, the Department granted certificate authority to American to provide service between New York and Tokyo and between Boston and Tokyo, and allocated it a total of fourteen weekly frequencies to operate seven weekly frequencies in each market. The frequencies are subject to the condition that they will expire automatically and revert to the Department for reallocation if they are not used for a period of 90 days. The Department has previously granted American waivers of the dormancy condition for its New York-Tokyo and Boston-Tokyo services.¹ American seeks a further waiver of the 90-day dormancy condition for an indefinite period or, alternatively, for a period of one year. It states that the necessary slots at Tokyo's Narita Airport are still not available for the inauguration of its service in these two markets.

Applicant rep.: Carl B. Nelson, Jr., (202) 496-5647 DOT analyst: Gerald Caolo, (202)-366-2406

DISPOSITION

XX Granted, for one year (see remarks below)

The above action was effective when taken: September 7, 2001, through October 27, 2002.²

XX Action taken by: **Paul L. Gretch, Director**
Office of International Aviation

Remarks: In deciding to grant the carrier's request for a period of one year, we concluded, taking into account all the circumstances presented, that the public interest would be best served by granting the

¹ See, the most recent Notice of Action Taken, dated March 14, 2001, filed in Docket 98-3419, extending the waiver through October 27, 2001.

² American's waiver from the dormancy condition for each market is effective until October 27, 2002. If American does not begin service by October 27, 2002, its frequency allocation expires automatically. The 90-day dormancy period will begin on the date American begins service.

(See Reverse Side)

request for a defined calendar period and evaluating any extension of the dormancy waiver based on the circumstances presented at that time.

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; and (2) grant of the waiver was consistent with the public interest. To the extent not granted, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

*An electronic version of this document is available on the World Wide Web at:
http://dms.dot.gov/reports/reports_aviation.asp.*